

including a baccalaureate or higher degree conferred by a college or university recognized by the board, the total educational program to include an accounting concentration or equivalent as determined by rule to be appropriate. Subject to the other provisions of this section relating to reexaminations, a person who has partially passed the examination required by subsection 3 by passing one or more subjects prior to December 31, 2000, has until December 31, 2003, to successfully complete the examination process and qualify for a certificate under the educational requirements in effect prior to December 31, 2000.

Sec. 2. Section 116.5, subsection 3, unnumbered paragraph 3, Code 1991, is amended by striking the unnumbered paragraph.

Sec. 3. Section 116.5, subsection 3, unnumbered paragraph 6, Code 1991, is amended to read as follows:

The board may admit to the examination described in subsection 3 any candidate who will complete the educational requirements for a baccalaureate degree within one hundred twenty days immediately following the date of the examination or who has completed those requirements. However, the board shall not report the results of the examination until the candidate has met the educational requirements for a baccalaureate degree and shall not grant the certificate until the candidate has fully satisfied the requirements of subsection 2.

Sec. 4. Section 116.20, subsection 2, paragraph d, Code Supplement 1991, is amended by striking the paragraph.

Sec. 5. Section 4 of this Act, which strikes section 116.20, subsection 2, paragraph "d", Code Supplement 1991, is effective July 1, 1993.

Approved April 29, 1992

CHAPTER 1181

WORKERS' COMPENSATION — APPLICATION FOR ALTERNATE CARE *H.F. 2250*

AN ACT relating to an employee's choice of care under the workers' compensation law.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 85.27, unnumbered paragraph 4, Code 1991, is amended to read as follows:

For purposes of this section, the employer is obliged to furnish reasonable services and supplies to treat an injured employee, and has the right to choose the care. The treatment must be offered promptly and be reasonably suited to treat the injury without undue inconvenience to the employee. If the employee has reason to be dissatisfied with the care offered, the employee should communicate the basis of such dissatisfaction to the employer, in writing if requested, following which the employer and the employee may agree to alternate care reasonably suited to treat the injury. If the employer and employee cannot agree on such alternate care, the commissioner may, upon application and reasonable proofs of the necessity therefor, allow and order other care. In an emergency, the employee may choose the employee's care at the employer's expense, provided the employer or the employer's agent cannot be reached immediately. An application made under this paragraph shall be considered an original proceeding for purposes of commencement and contested case proceedings under section 85.26. The hearing shall be conducted pursuant to chapter 17A. Before a hearing is scheduled, the parties may choose a telephone hearing or an in-person hearing. A request for an in-person hearing shall be approved unless the in-person hearing would be impractical because of the

distance between the parties to the hearing. The industrial commissioner shall issue a decision within ten working days of receipt of an application for alternate care made pursuant to a telephone hearing or within fourteen working days of receipt of an application for alternate care made pursuant to an in-person hearing. The employer shall notify an injured employee of the employee's ability to contest the employer's choice of care pursuant to this paragraph.

Approved April 29, 1992

CHAPTER 1182

SOLID WASTE DISPOSAL

H.F. 2256

AN ACT relating to the local siting for new sanitary landfills and waste incinerators and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455B.301, Code Supplement 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 8A. "Incinerator" means any enclosed device using controlled flame combustion that does not meet the criteria for classification as a boiler and is not listed as an industrial furnace. "Incinerator" does not include thermal oxidizers used for the treatment of gas emissions.

Sec. 2. Section 455B.305A, subsection 1, Code 1991, is amended to read as follows:

1. Prior to the siting of a proposed, new sanitary landfill, incinerator, or infectious medical waste incinerator, a city, county, or private agency, with the exception of a private agency disposing of waste which the agency generates on property owned by the agency as of January 1, 1990, shall submit a request for local siting approval to the city council or county board of supervisors which governs the city or county in which the proposed site is to be located. The requirements of this section do not apply to the expansion of an existing sanitary landfill owned by a private agency which disposes of waste which the agency generates on property owned by the agency. The city council or county board of supervisors shall approve or disapprove the site for each sanitary landfill, or incinerator, or infectious medical waste incinerator.

Sec. 3. Section 455B.305A, subsection 1, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Prior to the siting of a proposed new sanitary landfill or incinerator by a private agency disposing of waste which the agency generates on property owned by the agency which is located outside of the city limits and for which no county zoning ordinance exists, the private agency shall cause written notice of the proposal, including the nature of the proposed facility, and the right of the owner to submit a petition for formal siting of the proposed site, to be served either in person or by mail on the owners and residents of all property within two miles in each direction of the proposed local site area. The owners shall be identified based upon the authentic tax records of the county in which the proposed site is to be located. The private agency shall notify the county board of supervisors which governs the county in which the site is to be located of the proposed siting, and certify that notices have been mailed to owners and residents of the impacted area. Written notice shall be published in the official newspaper, as selected by the county board of supervisors pursuant to section 349.1, of the county in which the site is located. The notice shall state the name and address of the applicant, the location of the proposed site, the nature and size of the development, the nature of the activity proposed, the probable life of the proposed activity,